



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 26, 1998

Tommy W. Lueders, II
Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 79702-1152

OR98-2493

Dear Mr. Lueders:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID # 118986.

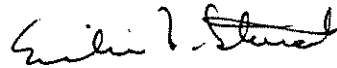
The City of Midland Police Department received a request for a copy of the Offense Report for case number 9807140058. You claim that the narrative portion of the police report that you highlighted is exempt from disclosure pursuant to section 552.108 of the Government Code.

We have considered the exception you claim and have reviewed the portion of the document at issue. You have not informed us that Exhibit B relates to a pending criminal investigation or prosecution nor otherwise established that release of the information contained in it will interfere with the detection, investigation, and prosecution of a crime under section 552.108(a)(1). Alternatively, you have not informed us that this information relates to an investigation that did not result in conviction or deferred adjudication under section 552.108(a)(2). Finally, you did not indicate that the requested information is an internal record or notation maintained for internal use in matters relating to law enforcement or prosecution exempt from disclosure under section 552.108(2). You have stated merely that the information is pertinent to the detection, investigation, and prosecution of a crime. We conclude that you have not met your burden of establishing that at this time the release of the information highlighted on Exhibit B could interfere with the detection, investigation, or prosecution of crime. Therefore, you must release the requested information.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue

under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Emilie F. Stewart
Assistant Attorney General
Open Records Division

EFS\nc

Ref: ID# 118986

Enclosures: Submitted documents

cc: Mr. Everett Montgomery
4700 Boulder #1505
Midland, Texas 79707
(w/o enclosures)